

E-Filed 5/27/10

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MIGUEL VILLANUEVA,

No. C 09-0860 RS (PR)

Petitioner,

**ORDER REQUESTING FURTHER
BRIEFING**

v.

ROBERT K. WONG, Warden,

Respondent.

A recent en banc decision from the Ninth Circuit addressed important issues relating to federal review of parole decisions in California. *See Hayward v. Marshall*, No. 06-55392, 2010 WL 1664977 (9th Cir. April 22, 2010) (en banc). The Court requests that the parties submit supplemental briefs (not to exceed 12 pages in length) explaining their views on how the *Hayward* en banc decision applies to this parole denial habeas case. The Court sets the following schedule:


1. Within 10 days of this order, respondent shall send to petitioner a copy of the *Hayward* decision.

2. Within 30 days of this order, respondent shall file with the Court and serve on petitioner a supplemental brief on the impact of *Hayward* on this action.

3. Within 15 days thereafter, petitioner may file with the Court and serve on respondent a supplemental brief on the impact of *Hayward* on this action.

IT IS SO ORDERED.

DATED: May 27, 2010


RICHARD SEEBORG
United States District Judge

United States District Court
For the Northern District of California